

# HOUSE JOURNAL

## Second Regular Session of the Fifty-eighth Legislature

### of the State of Oklahoma

#### Eleventh Legislative Day, Monday, February 28, 2022

Due to inclement weather, Wednesday, February 23, 2022, and pursuant to House Rule 1.1(c), the Speaker announced to the Membership of the House that legislative activity for the remainder of the week be cancelled. Pursuant to House Rule 12.1(b), the House convened today at 1:30 p.m.

The House was called to order by Representative Newton.

The roll was called with 94 Members present.

Vacancy: District 89.—1.

The following Members were excused: Conley, Lepak, Lowe (Jason), Mize, Roberts (Sean), Steagall.—6.

Representative Newton declared a quorum present.

Prayer was offered by Pastor Joel Harder, House Chaplain.

The Journal for the last legislative day was approved.

#### MOTION

Representative Roberts (Dustin) moved pursuant to Article V, Section 30 of the Oklahoma Constitution, that the House of Representatives request consent of the Honorable Senate to have adjourned for more than three days, beginning Wednesday, February 23, 2022, and ending Monday, February 28, 2022.

**MOTION**

Representative Roberts (Dustin) moved pursuant to the list emailed to the Membership of the House from the Majority Floor Leader's office, that said measures be considered referred accordingly, which motion was declared adopted.

**MEASURES REASSIGNED**

The following measures were reassigned:

**HB 2487** – Withdrawn from Rules and referred to Banking, Financial Services and Pensions.

**HB 3022** – Withdrawn from Judiciary - Civil and referred to Rules.

**HB 3196** – Withdrawn from Judiciary - Criminal and referred to Appropriations and Budget.

**HB 3286** – Withdrawn from Rules and referred to Criminal Justice and Corrections.

**HB 3302** – Withdrawn from Rules and referred to Criminal Justice and Corrections.

**HB 3308** – Withdrawn from Rules and referred to Criminal Justice and Corrections.

**HB 3343** – Withdrawn from Rules and referred to Judiciary - Criminal.

**HB 3417** – Withdrawn from Appropriations and Budget and referred to Rules.

**HB 3494** – Withdrawn from Children, Youth and Family Services and referred to Rules.

**HB 3499** – Withdrawn from Rules and referred to Business and Commerce.

**HB 3544** – Withdrawn from Appropriations and Budget and referred to Rules.

**HB 3683** – Withdrawn from Public Health and referred to Rules.

**HB 3692** – Withdrawn from County and Municipal Government and referred to Appropriations and Budget.

**HB 3718** – Withdrawn from Rules and referred to Criminal Justice and Corrections.

**HB 3856** – Withdrawn from Rules and referred to Alcohol, Tobacco and Controlled Substances.

**HB 3920** – Withdrawn from Rules and referred to County and Municipal Government.

**HB 4197** – Withdrawn from General Government and referred to Appropriations and Budget.

**HB 4198** – Withdrawn from Rules and referred to Appropriations and Budget.

**HB 4199** – Withdrawn from Rules and referred to Appropriations and Budget.

**HB 4303** – Withdrawn from Rules and referred to Common Education.

## MESSAGES FROM THE SENATE

Announcing the passage of **SBs 1134, 1138, 1143, 1244, 1297, 1301, 1357, 1358, 1364, 1414, 1578, 1637, 1691, 1700, 1763 and 1819**. The above measures were introduced and read for the first time.

**SB 1134** – By Rosino of the Senate and Lawson of the House.

An Act relating to the state Medicaid program; repealing 56 O.S. 2021, Section 2005, which relates to home and community-based services; and declaring an emergency.

**SB 1138** – By Pemberton of the Senate and Pae and Rosecrants of the House.

An Act relating to schools; amending 70 O.S. 2021, Section 24-100.3, which relates to definitions under the School Safety and Bullying Prevention Act; modifying definition; updating statutory reference; amending 70 O.S. 2021, Section 24-100.4, which relates to the control and discipline of a child; requiring certain policy to be updated annually; modifying who can report incidents of bullying; requiring anonymous reports to be investigated in certain manner; providing immunity from a cause of action for certain individuals making certain reports of bullying; requiring notification of the parents or legal guardians of certain students within certain time period of receiving a report of bullying; requiring immediate notification of the parents or legal guardians of certain students who express certain thoughts or intentions; requiring certain policy to contain a statement prohibiting retaliation against certain school employees; requiring a district board of education to hold certain public hearing prior to adoption of certain policy and any modifications to certain policy; providing for notice of hearing; requiring submission of certain policy to the State Department of Education within certain time period; requiring a superintendent to submit certain report to a district board of education at least once each semester; requiring a district board of education to provide certain policy and explanation to employees; providing an effective date; and declaring an emergency.

**SB 1143** – By Montgomery of the Senate and Wallace of the House.

An Act relating to insurance; amending 36 O.S. 2021, Section 1618, which relates to investments made by an insurer; raising the maximum percentage of certain investments; and declaring an emergency.

**SB 1244** – By Quinn of the Senate and Sneed of the House.

An Act relating to health benefit plans; establishing provisions for incorporating certain coverage into certain health benefit plans; providing for codification; and providing an effective date.

**SB 1297** – By Stanley of the Senate and Stinson of the House.

An Act relating to the Oklahoma Accountancy Act; creating the Oklahoma Accountancy Board Revolving Fund; providing for deposits and expenditures; requiring certain percentage be paid to the General Revenue Fund; stating purpose of revolving fund; allowing for transfer of certain funds for certain program; amending 59 O.S. 2021, Sections 15.7, 15.14B, and 15.24, which relate to disbursement of monies, acts subject to penalties, and penalties; updating references; modifying language; authorizing a student scholarship and grant program for certain purpose; stating eligibility requirements; directing promulgation of rules, forms, fee, and procedures by Board; authorizing the Board to set amount of awards, application fees, and additional criteria for the program; limiting funding for program to collection of administrative fines; directing Board to determine program funding annually; providing for transfer of monies from revolving fund to certain account;

stating administrator of certain account; providing for expenditures; making certain funding subject to availability of certain funds; prohibiting transfer or expenditure of certain funds without Board approval; providing for repayments and reimbursements of certain funds; directing deposit; providing certain exemption for certain percentage to be paid to General Revenue Fund; requiring certain report; directing certain distribution of report; stating content of report; providing for codification; and providing an effective date.

**SB 1301** – By Rader of the Senate and Pfeiffer of the House.

An Act relating to sales tax; amending 68 O.S. 2021, Sections 227 and 1364.1, which relate to refund of erroneous payments and permit to directly remit taxes; prohibiting refund of certain erroneous tax payment; requiring certain individuals to apply for direct pay permit; authorizing claim for refund of taxes paid under certain circumstance; conforming language; updating statutory language; and providing an effective date.

**SB 1357** – By Paxton of the Senate and Martinez of the House.

An Act relating to elections; amending 26 O.S. 2021, Section 5-105, which relates to candidate voter registration; removing deadlines for certain voter registration for candidates filing for office in certain elections; providing an effective date; and declaring an emergency.

**SB 1358** – By Paxton of the Senate and Martinez of the House.

An Act relating to election administration; amending 26 O.S. 2021, Section 3-118, which relates to changes in precincts; modifying term; and declaring an emergency.

**SB 1364** – By Rader of the Senate and Hilbert of the House.

An Act relating to polling places; providing for additional polling places for certain precincts; authorizing maintenance and cleaning fee for certain facilities; providing for codification; providing an effective date; and declaring an emergency.

**SB 1414** – By Paxton of the Senate and Martinez of the House.

An Act relating to State Senate districts; amending 14 O.S. 2021, Section 80.8, which relates to Senate candidacy requirements; removing expired filing requirement; providing an effective date; and declaring an emergency.

**SB 1578** – By Paxton of the Senate and Martinez of the House.

An Act relating to county commissioners; amending 19 O.S. 2021, Section 131.1, which relates to qualifications for county office; omitting certain registration and residency requirement within stated time period; providing an effective date; and declaring an emergency.

**SB 1637** – By Haste of the Senate and Lepak of the House.

An Act relating to election fraud; amending 26 O.S. 2021, Sections 14-108.1, 16-105, and 16-123, which relate to notaries public, fraud, and voter registration or voting crimes; requiring notification of certain potential fraud to Attorney General; authorizing Attorney General to conduct certain investigation; requiring Attorney General to submit certain notification to district attorney; requiring investigation by district attorney under certain circumstances; modifying contents of required letter to complainant; requiring Attorney General to make determination upon certain notification; requiring Attorney General to submit certain notification to district attorney under certain circumstances; requiring certain investigation by Attorney General or district attorney; modifying certain reporting requirements; amending 74 O.S. 2021, Section 18b, which relates to duties of Attorney General; authorizing Attorney General to investigate and prosecute certain violations; updating statutory reference; and providing an effective date.

**SB 1691** – By Taylor and Rader of the Senate and Boles of the House.

An Act relating to occupational licensing and certification; amending 59 O.S. 2021, Section 4000.1, which relates to determination for granting or denying licensing; providing for terms of denial of a state license or certification; allowing a licensing or certification authority to consider certain conditions before determination; preventing denial of licensure from a licensing or certification authority under certain conditions; requiring written notice to applicant from authority before determination; providing for notice of denial to be presented to applicant and allow for appeal and reapplication; removing terms of determination; providing for terms of disqualification during application process if subsequently convicted, has pending charges, or undisclosed convictions; allowing for rescindment of determination under certain conditions; requiring a licensing or certification authority to provide and publish certain information with applications; requiring distribution of information on website and to the Legislature each year; providing agency exceptions; and providing an effective date.

**SB 1700** – By Howard of the Senate and Echols of the House.

An Act relating to small estate administration; amending 58 O.S. 2021, Sections 393 and 394, which relate to payment or delivery of property to successor by affidavit; authorizing entities and state agencies to release property upon receipt of certain affidavit; adding property required to be paid or delivered upon receipt of certain affidavit; conforming language; and providing an effective date.

**SB 1763** – By Weaver of the Senate and Moore of the House.

An Act relating to asset forfeiture; amending 21 O.S. 2021, Section 1738, which relates to property used in attempt or commission of crime; modifying parties eligible to bring certain actions; and providing an effective date.

**SB 1819** – By Howard of the Senate and Kendrix of the House.

An Act relating to excise tax; amending 68 O.S. 2021, Section 2105, as last amended by Section 11, Chapter 229, O.S.L. 2017, which relates to excise tax on vehicles; defining term; updating statutory language; and providing an effective date.

## **MESSAGES FROM THE SENATE**

Pursuant to Article V, Section 30 of the Oklahoma Constitution, the Senate requests the Honorable House of Representatives to consent to the adjournment of the Senate for more than three days, beginning Wednesday, February 23, 2022, and ending on Monday, February 28, 2022.

### **Adjournment Consent Granted**

Advising the Honorable House of Representatives pursuant to Article V Section 30 of the Oklahoma Constitution that the Senate grants the request of the House to adjourn for more than three days, beginning Wednesday, February 23, 2022, and ending on Monday, February 28, 2022.

**RESOLUTIONS**

The following was introduced and read:

**HCR 1016** – By Echols of the House and McCortney of the Senate.

A Concurrent Resolution relating to Joint Rules; amending Joint Rules for the 58th Legislature.

**CHANGE IN AUTHORSHIP**

The following measures had a change in principal House author:

**HB 2024** - Remove Representative Fetgatter as principal House author and substitute with Representative Cornwell

**HB 3609** - Remove Representative McEntire as principal House author and substitute with Representative Echols

**HB 4197** - Remove Representative Echols as principal House author and substitute with Representative Wallace

**HB 4198** - Remove Representative Echols as principal House author and substitute with Representative Wallace

**HB 4199** - Remove Representative Echols as principal House author and substitute with Representative Wallace

**COMMITTEE REPORTS**

The following were reported by the committees named, ordered printed and placed on the Calendar unless otherwise indicated:

DO PASS:

**HB 3132** – County and Municipal Government

**HB 3167** – Higher Education and Career Tech

**HB 4014** – County and Municipal Government, Coauthored by Representative(s) Crosswhite Hader, and Authored by Senator Bergstrom (principal Senate author)

DO PASS, As Amended:

CS for **HB 1606** – County and Municipal Government

CS for **HB 2758** – Banking, Financial Services and Pensions, Coauthored by Representative(s) Frix

CS for **HB 3344** – County and Municipal Government, Authored by Senator Kidd (principal Senate author)

**CS for HB 3709** – Banking, Financial Services and Pensions

**CS for HB 3906** – County and Municipal Government, Coauthored by  
Representative(s) Smith, Steagall, Roberts (Sean), Lawson

**CS for HB 4351** – Banking, Financial Services and Pensions

Representative Roberts (Dustin) moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 9:00 a.m., Tuesday, March 1, 2022, which was the order.

Pursuant to the motion of Representative Roberts (Dustin), the House was adjourned at 1:50 p.m., to reconvene Tuesday, March 1, 2022, at 9:00 a.m.